

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT A. BERNOVICH,

Plaintiff,

V.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

Case No. C12-5680-RAJ

ORDER REVERSING AND REMANDING CASE FOR FURTHER ADMINISTRATIVE PROCEEDINGS

The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and **ORDER**:

- (1) The Court adopts the Report and Recommendation.
- (2) The Commissioner's decision is **REVERSED** and the case is **REMANDED** to the Social Security Administration for further proceedings consistent with the Report and Recommendation.
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Brian A. Tsuchida.

DATED this 31st day of January, 2013.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge